



1617

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Docket No: 51737US019

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

STEFELY, et al

Serial No.: 10/078,805

Filed: February 18, 2002

Group Art Unit: 1617

Examiner: WEBMAN, Edward J.

For: BIOCOMPATIBLE COMPOUNDS FOR SUSTAINED RELEASE
PHARMACEUTICAL DRUG DELIVERY SYSTEMS

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on:

March 20, 2003

Amber M. Staniec

Date

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8/B
3/24/03

Amendment

Commissioner for Patents
Washington, DC 20231

Dear Examiner:

In response to the Office Action mailed January 8, 2003, kindly enter the following amendment and reconsider the application.

In the Claims

Please amend claim 42 as follows:

42. (Amended) A sustained release medicinal aerosol formulation comprising:

- (a) a propellant;
- (b) A therapeutically effective amount of a drug; and
- (c) a sufficient amount of a biocompatible polymer substantially completely dissolved in the formulation so as to provide for sustained release of the drug; wherein the sustained release formulation results in discrete, nonfilm forming particles upon delivery, and wherein the formulation is contained in a metered dose inhaler for oral and/or nasal inhalation.

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